

REMARKS

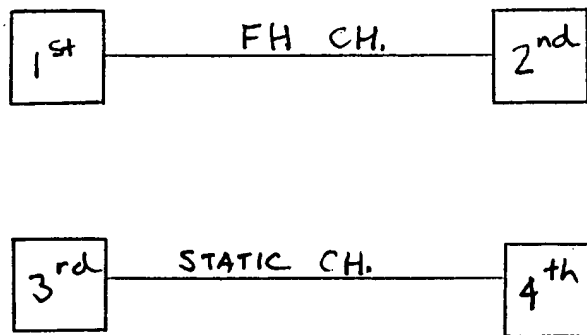
Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1-24 and 26-35 are currently pending.

Applicant notes with great appreciation that claims 1-18 have been allowed and that claims 22, 23, 26, 30, 31 and 33 stand objected to as dependent from a rejected base claim but containing allowable subject matter.

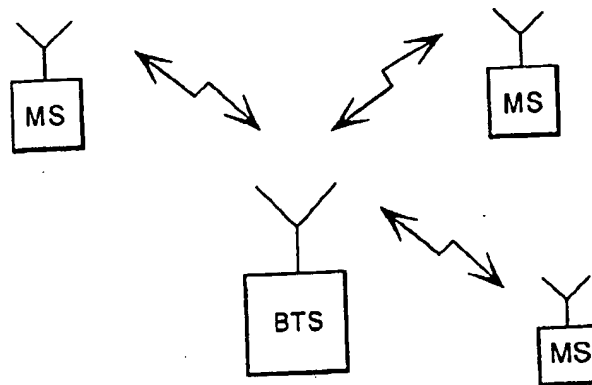
Claim 19 stands rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter set forth therein. Specifically, the Examiner has noted that the phrase "the fast frequency hopping traffic channel" lacks clear antecedent basis. By way of the foregoing amendments, claim 19 has been amended to address this issue. Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claim 19 stands rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Särkioja et al. (U.S. Patent No. 5,774,808) in view of Bird (U.S. Patent No. 6,519,245). Prior to addressing this ground of rejection in detail, Applicant provides a brief summary of novel methods and apparatuses for communicating using a plurality of time slots within a frequency spectrum according to exemplary embodiments of the present invention in order to highlight some of the advantageous characteristics thereof.

According to exemplary embodiments of the present invention, e.g., as illustrated in Figure 4 of the above-identified application, a frequency hopping channel may be established between, for example, a first communication unit (e.g., master communication unit 410) and a second communication unit (e.g., FH slave A 420). Additionally, a third communication unit (e.g., HS slave X 440) and a fourth communication unit (e.g., HS slave Y 450) may communicate using a static traffic channel. Purely for the purposes of facilitating a comparison with the cited Särkioja patent, this relationship between these four communication units can be presented pictorially as shown below.



By way of contrast, the Särkioja patent relates to a method for channel allocation in a cellular communication system. As shown in Fig. 1 of that patent, this system relates to a typical cellular communication system wherein a base station (BTS) is communicating with different mobile stations (MS) via communication links which are each independently established between the base station and each individual mobile station. Fig. 1 illustrating this relationship between base stations and mobile stations is reproduced below.



Applicant respectfully submits that the Särkioja patent cannot reasonably be said to describe both establishing a frequency hopping traffic channel between a first and second communication unit and establishing a static traffic channel between a third and fourth communication unit as set forth, among other features, in Applicant's claim 19 combination. This is because (comparing the two figures above), Särkioja only teaches establishing traffic channels between a base station and one of a

number of different mobile stations. Särkioja does not disclose establishing different channels between different pairs of communication units. To state this differently, all of the channels established by Särkioja involve the base station (BTS). By way of contrast, Applicant's claim 19 combination relates to establishing communication channels between two independent pairs of communication units. Accordingly, it is respectfully submitted that Särkioja does not teach or suggest the first two steps in Applicant's claim 19 combination.

The Bird patent is cited as an alleged teaching of a fast frequency hopping traffic channel. However, Bird also fails to remedy the deficiencies described above with respect to Särkioja. Accordingly, it is respectfully submitted that no combination of Särkioja and Bird would have motivated one of ordinary skill in the art to have arrived at Applicant's claim 19 combination. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claims 20 and 21 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Särkioja in view of Bird and further in view of Ishifuji (U.S. Patent No. 6,061,389). Applicant respectfully submits that these claims which depend from claim 19 are allowable for at least the reasons set forth above with respect thereto since the addition of the Ishifuji et al. patent does not remedy the deficiencies of Särkioja and Bird set forth above. Accordingly, reconsideration and withdrawal of this ground of rejection are also respectfully requested.

Claim 24 stands rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Särkioja in view of Bird and further in view of Trompower (U.S. Patent No. 6,088,591). Again, claim 24 which ultimately depends from claim 19 is also respectfully submitted to be patentably distinguishable from the cited documents since the Trompower et al. patent likewise fails to remedy the deficiencies of Särkioja and Bird set forth above. Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claim 27 stands rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Pöyhönen (U.S. Patent No. 5,570,352) in view of Särkioja et al. In this ground of rejection, Särkioja is once again relied upon for both sets of establishing a frequency hopping traffic channel between a first and second

communication unit and establishing a static traffic channel between a third and fourth communication unit. Thus, it is respectfully submitted that claim 27 is allowable for reasons similar to those set forth above with respect to claim 19 since neither Pöyhönen nor Särkioja whether taken singly or in combination teach the establishment of a first traffic channel between two communication units and a second traffic channel between two different communication units. Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claims 28 and 29 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Pöyhönen in view of Särkioja and further in view of Ishifuji. These claims are respectfully submitted to be patentably distinct from the cited references for at least the reasons set forth above with respect to claim 27 from which they depend. Accordingly, reconsideration and allowance of these claims are respectfully requested.

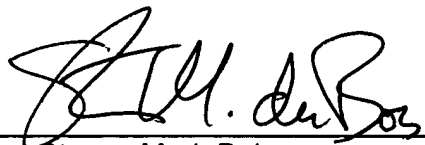
Claim 32 stands rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Pöyhönen in view of Särkioja further in view of Trompower. Again, claim 32 is respectfully submitted to be allowable for at least the reasons set forth above with respect to claim 27 from which it ultimately depends.

New claims 34 and 35 have been submitted in order to further clarify the relationship between the communication units in independent claims 19 and 27, respectfully. As set forth in claims 34 and 35, each of the first, second, third and fourth communication units are different communication units. This implies that the frequency hopping traffic channel is set up between one pair of communication units and the static traffic channel is set up between a different pair of communication units. It is respectfully submitted that none of the documents of record, whether taken singly or in combination teach or suggest this claimed combination of features in conjunction with the other features set forth in Applicant's claim 19 and 27 combinations.

All of the objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that this application is in condition for allowance and a notice to that effect is earnestly solicited. Should the Examiner have any questions regarding this response or the application in general, he is urged to contact the undersigned at (540) 361-1863.

Respectfully submitted,

POTOMAC PATENT GROUP PLLC

By: 
Steven M. duBois
Registration No. 35,023

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Potomac Patent Group, PLLC
P.O. Box 270
Fredericksburg, VA 22404
(540) 361-1863